Case 23-50245 Doc 7 Filed 05/23/23 Entered 05/23/23 13:05:20 Desc Main Document Page 1 of 2

## UNITED STATES BANKRUPTCY COURT FOR THE WESTERN DISTRICT OF VIRGINIA HARRISONBURG DIVISION

IN RE:	ANDREW PAUL FERREBEE	)	
		)	<b>CHAPTER 13</b>
	DEBTOR.	)	CASE NO. 23-50245

## MOTION TO QUASH GARNISHMENT

Comes now your applicant, **ANDREW PAUL FERREBEE**, by Counsel, pursuant to Bankruptcy Code §362 (a), and respectfully represents:

- 1. That your applicant has filed a petition for relief under Chapter 13 of Title 11 of the United States Code;
- 2. That your applicant is subject to a garnishment issued by: SHENANDAOH GENERAL DISTRICT COURT, 215 MILL ROAD, SUITE 128, WOODSTOCK, VA 22664, within 90 days of the filing of the above named petition;
- 3. That said garnishment is in favor of: ONEMAIN FINANCIAL GROUP, LLC, ATTN: BANKRUPTCY, PO BOX 3251, EVANSVILLE, IN 47731, C/O HARRISLOFTUS, PLLC, 7900 SUDLEY ROAD, SUITE 608, MANASSAS, VA 20109.
- 4. The GARNISHEE is: CHANTILLY AUTO & FLEET SERVICE, LLC, ATTN: PAYROLL/REG. AGENT: NEDAL KHATIB, 4530 STONECROFT BLVD., CHANTILLY, VA 20151;
- 5. The creditor is attempting to garnish: **DEBTOR'S WAGES**.

WHEREFORE, your applicant prays that said garnishment be quashed and have such other and further relief as the nature of the case may require.

Date: May 23, 2023 Respectfully submitted,

By: <u>/s/ Heidi Shafer</u>
Counsel for Debtor

COX LAW GROUP, PLLC 900 LAKESIDE DRIVE, SUITE A LYNCHBURG, VA 24501 (434) 845-2600

Certificate of Service

I certify on May 23, 2023 I have sent by postage prepaid, first class U.S. Mail this pleading to the Debtor; the Garnishee: CHANTILLY AUTO & FLEET SERVICE, LLC, ATTN: PAYROLL/REG. AGENT: NEDAL KHATIB, 4530 STONECROFT BLVD., CHANTILLY, VA 20151; the Court: SHENANDAOH GENERAL DISTRICT COURT, 215 MILL ROAD, SUITE 128, WOODSTOCK, VA 22664; and the Creditor: ONEMAIN FINANCIAL GROUP, LLC, ATTN: BANKRUPTCY, PO BOX 3251, EVANSVILLE, IN 47731, C/O HARRISLOFTUS, PLLC, 7900 SUDLEY ROAD, SUITE 608, MANASSAS, VA 20109.

<u>/s/ Heidi Shafer</u> Counsel for Debtor

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| Suppor received by SO C C M DIAGREST CREDIES I Judgment Grebors This is a garnishmon against (check onlo | X| the judgment de | | | some other deb interpretation of this. this Garnishment? GARNISHMO checked, then § 3450 section is on the rest wages, salary or ot If none of the above applies (a plan-lane SUMMON 01:00 pr SUBJECT TO GAR HEARING DATE 07/24/202 80825.001 compensation. DATE SUMMONS). received by Star Tannery VA 22654-0000 SHENANDOAH COUNTY The Marston Agency, Inc. SOCIALISE CURITY NIMBER Service, LLC TELEPHONE NUMBER TELEPHONE NUMBER Third Party Service The Marston Agency, Inc. *IOTAL BALANCE DUE* (703) 361-5131 JUDGMENT DEBTOR'S NAME (SERVED PARTY Service The garnishee shall rely on this amount. ludgment Principal Carnishment Costs Chantilly VA 20151 FAIRLAX COUNTY JUDGMENT CREDITOR'S ATTORNITY'S NAME Judgment Costs Attorney's Fees ONEMAIN FINANCIAL GROUP, LLC STATIEMENT GV21000628-01 7900 Sudley Road, Suite 608 Credits Interest HIDGMENT CREDITOP'S NAMIF Reg. Agent: Nedal Khatub Manassas, VA 20109 4530 Stonecroft Blvd HarrisLoftus, PLLC September 27, 2021 Ferrebee, Andrew P TELEPHONE NUMBER TELEPHONE NUMBER DATE OF JUDGMENT GARNISHEE'S NAME STREET ADDRESS CTTV STATE 71P STREET ADDRESS 9326 Zepp Rd CITY, STATE, ZIP STREET ADDRESS CITY, STATE, ZIP 2542.95 CASE NO. 91.00 507.94 635.74 67.00 91.00 3753.63 .... General District Court As garnishee, you shall withhold from the judgment debtor any sums of money to which the judgment debtor If a garnishment summons is served on an employer having one thousand or more employees, then money to WRIT OF FIERI FACIAS TO ANY AUTHORIZED OFFICER You are commanded to execute this writ and answer the Suggestion for Summons in Garnishment of the judgment creditor that, by reason of the lien of writ date for your appearance in court, subject to the following limitations: (1) The maximum amount which may be to make from the intangible personal estate of the judgment debtor(s) the principal, interest, costs and attorney's judgment creditor for any property not specified in this gamishment summons. (3) If the sums of money being salanes, commission or other earnings which, following service منا الله garnishee-employer, are determined and are payable to the judgment debtor under the garnishec employer's normal payroll procedure with a reasonable TO THE GARNISHEE: You are hereby commanded to (1) lile a written answer with this court, or (2) deliver TO GARNISHEE on check or written answer, include return date, case number and pudgment debtor's name. MAKE CHECK PAYABLE TO JUDGMENTO'REDITOR AND DELIVER TO THE COURT. payment to this court, or (3) appear before this court on the hearing date and time shown on this summons to fees, less credits, shown in the Garnishment Summons. You are further commanded to make your return to the is or may be entitled from you during the period between the date of service of this summons on you and the ... net of any credits. TO ANY AUTHORIZED OFFICER: You are hereby commanded to serve this summons on the judgment gamished is the "TOTAL BALANCE DUE" as shown on this summons. (2) You shall not be liable to the which the judgment debtor is or may be entitled from his or heremployer shall be considered those wages, Linaleth Rhoodes gamished are camings of the judgment debtor, then the provision of "MAXIMUM PORTION OF 215 Mill Road, Suite 128 Woodstock VA 22664(540)459-6130 of fieri facias, there is a liability as shown in the statement upon the garnishee. Tomestead Exemption Waived? [ ] yes [ ] no [ ] cannot be demanded DISPOSABLE EARNINGS SUBJECT TO GARNISHMENT" shall apply. COURT ADDRESS AND TELEPHONE NUMBER Deputy Sural I the garnishee pay to the judgment creditor through the court \$ Commonwealth of Virginia Va. Code §§ 8.01-511, 8.01-512.3 time allowance for making a timely return by mail to this count SOPE OF Shenandoah County COURT NAME CHANNE THE SUMMENTS DATE AND TIME OF DELIVERY OF WRIT OF FIERI FACIAS TO SHERIFF IF DIFFERENT FROM DATE OF HISTIANCE OF THIS SUMMONS SATI 2073 DATE OF ISSUANCE OF SURADONS clerk's office according to law. the case be DISMISSED. DATE OF ISSUANCE OF WRIT debtor and the garnishee. 3/27/2023 DATE ENTERED FORM DC-451 (FRONT) 1,017 CASE DISPOSITION ORDER that

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